

Public Law 98-123
98th Congress

An Act

To provide for the use and distribution of funds awarded the Red Lake Band of Chippewa Indians in docket numbered 15-72 of the United States Court of Claims.

Oct. 13, 1983

[S. 884]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any provision of the Act of October 19, 1973 (87 Stat. 466; 25 U.S.C. 1401 et seq.), or any other law, regulation, or plan promulgated pursuant thereto, the funds appropriated with respect to the judgment awarded the Red Lake Band of Chippewa Indians in docket numbered 15-72 of the United States Court of Claims (less attorney fees and litigation expenses), including all interest and investment income accrued thereon, shall be distributed and used as follows:

Red Lake Band of Chippewa Indians.
Distribution and use of funds.

(1) Eighty per centum of such funds shall be distributed by the Secretary of the Interior (hereinafter in this Act referred to as the "Secretary") in the form of per capita payments (in sums as equal as possible) to all enrolled members of the Red Lake Band of Chippewa Indians who are living on the date of enactment of this Act.

Per capita payments.

(2) Twenty per centum of such funds, including any interest or income accrued thereon, shall be—

Trust, investment, and distribution.

(A) held in trust and invested by the Secretary for the benefit of the members of the Red Lake Band of Chippewa Indians, and

(B) distributed from such trust, subject to the approval of the Secretary, to the governing body of such tribe for the purpose of making expenditures to meet common tribal needs or educational requirements.

SEC. 2. (a) Any payment of a per capita share of funds to which a living, competent adult is entitled under this Act shall be paid directly to such adult.

Per capita share of funds, payment.

(b) Any per capita share of funds to which a deceased individual is entitled under this Act shall be paid, and the beneficiaries thereof determined, under regulations prescribed by the Secretary.

(c) Any per capita share of funds to which a legally incompetent individual or an individual under eighteen years of age is entitled under this Act shall be paid in accordance with such procedures (including the establishment of trusts) as the Secretary determines to be necessary to protect the interests of such individual.

Tax exemption.

SEC. 3. None of the funds distributed under this Act shall be—
(1) **subject to Federal, State, or local income taxes, or**
(2) **considered income or resources in determining either eligibility for, or the amount of assistance under, Federal, State, or local programs.**

Approved October 13, 1983.

LEGISLATIVE HISTORY—S. 884:

HOUSE REPORT No. 98-389 (Comm. on Interior and Insular Affairs).

SENATE REPORT No. 98-74 (Comm. on Indian Affairs).

CONGRESSIONAL RECORD, Vol. 129 (1983):

May 12, considered and passed Senate.

Oct. 3, considered and passed House.